

EXHIBIT Y



NO. 4:21-cv-05075-MKD

**JESSE REYES, DANIEL REYNOSO, LEAGUE OF UNITED LATIN
AMERICAN CITIZENS, LATINO COMMUNITY FUND OF WASHINGTON
V.
BRENDA CHILTON, ET AL.**

**DEPONENT:
KATHY FISHER**

**DATE:
May 09, 2023**

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1 A. It's within VoteWA.

2 Q. Okay. There, that got to what I was looking
3 for. Thank you.

4 How do you determine which of the five
5 members of the elections department verify any
6 particular signature?

7 MS. CASTILLO: Object to form.

8 A. It's the main duty for both Alex and
9 Rochelle. If there are thousands of signatures to
10 verify that day, we all participate in the process.

11 Q. (By Mr. Troutman) How many people review
12 each signature to determine whether there's either a
13 match or a mismatch?

14 A. During the first step of that process?

15 Q. Yes.

16 A. Each one of us reviews signatures
17 independently during the first step of that process.

18 Q. And what are you looking for in the first
19 step of the process?

20 A. We're using the signature verification
21 standards that are outlined in WAC 434-379-020, in
22 addition to our training that was provided by the
23 Washington State Patrol.

24 Q. Are there signatures that you review in this
25 first step of the process that Alex or Rochelle do not

1 review?

2 A. Again, during the first step of the process,
3 we're individually and independently reviewing the
4 signatures.

5 Q. What's the second step of the process?

6 A. The second step of the process is, any
7 signature that's flagged for a second review, is done.

8 Q. In the first part of the process, if a
9 signature is deemed to be a match, does that signature
10 go to the second step of the process?

11 A. No. Signatures that are deemed to be a
12 match don't go to the second step review.

13 Q. Is there anything else that needs done in
14 the process after a signature is found to be a match
15 before the ballot is accepted?

16 A. The ballot is accepted at the same time as
17 the signature is deemed to be a match.

18 Q. Okay. Thank you.

19 So you said that the step two was to review
20 any signatures flagged for second review.

21 What are reasons why signatures are flagged
22 for a second review?

23 A. If the first reviewer didn't find it to be a
24 match in there.

25 Q. And then who's responsible for doing the

1 second level of review?

2 A. Martha Jimenez and myself work together as a
3 team during the second review.

4 Q. Do both of you review every signature that
5 enters the second stage of review?

6 A. Yes, we do.

7 Q. And how do you perform that review? Do you
8 sit down with Martha and look at them together, or do
9 you independently do the second stage of review?

10 MS. CASTILLO: Object to form.

11 A. We look at them together.

12 Q. (By Mr. Troutman) And, again, as you
13 testified before, you're using Washington State law in
14 the training to review those signatures for match or
15 mismatch?

16 A. Yes, we are.

17 Q. And I assume if you both agree that there's
18 either a mismatch or a match, then the ballot is either
19 accepted or rejected.

20 What if you and Martha disagree on whether
21 there's a match or a mismatch of a signature in the
22 second level of review?

23 A. The ballot moves forward for acceptance.

24 Q. So if either you or Martha believe that the
25 signature is a match, it moves forward for acceptance?

1 A. Yes.

2 Q. To put it another way, it takes two of you
3 to agree that there's a mismatch for it to move forward
4 as a mismatch.

5 A. Correct.

6 Q. If a signature is determined to be a
7 mismatch, what's the next step in the review?

8 A. The next step in the review is to contact
9 the voter.

10 Q. Is that the part where you offer them the
11 cure form?

12 A. That's correct.

13 Q. Has the County Canvassing Review Board been
14 involved in any other process before the cure form goes
15 out to the voter?

16 A. No.

17 Q. Does the County Canvassing Review Board only
18 become involved when they meet the day before the County
19 Canvassing Review Board meeting?

20 MS. CASTILLO: Object to form.

21 A. Could you repeat the question, please?

22 Q. (By Mr. Troutman) Does the County
23 Canvassing Review Board only become involved when they
24 meet the day before the public County Canvassing Review
25 Board meeting?

1 A. That is correct. It's a double-sided
2 document; however, it's not in multiple pages like that.

3 Q. Okay. So it would be one page, with English
4 on one side and Spanish on the other side.

5 A. That's correct, yes.

6 Q. Okay. Does every single person get English
7 and Spanish?

8 A. Yes, they do.

9 Q. Okay. So you don't try to pick out who
10 sounds like an English name and who sounds like a Latino
11 name and send them one version of the other then; is
12 that right?

13 A. That is correct. We do not do that.

14 Q. Do you know how long Yakima County has been
15 sending out cure forms with both English and Spanish to
16 every voter that gets a cure form?

17 A. Since our Department of Justice Consent
18 Decree in 2004.

19 Q. And you were with the office at that time;
20 right?

21 A. That is correct.

22 Q. Okay. I know it's -- you know, this is
23 based upon an older cure form, but still relevant to the
24 time period in the case. What happens if your cure form
25 and your government identification signature match, but

1 A. That is correct, depending on the volume of
2 the election.

3 Q. Okay. Do the extra help staff serve any
4 role in the signature verification process?

5 A. Only those three on an as-needed basis.

6 Q. Okay. Do they play any role in comparing
7 signatures and determining whether they're a match or
8 mismatch?

9 MS. CASTILLO: Object to form.

10 A. Their --

11 MS. CASTILLO: You can answer.

12 A. They participate in the first review of
13 signatures.

14 Q. (By Mr. Troutman) And how long have they
15 each been with your office?

16 A. Without looking back at their employment
17 records, over 10 years for Bev and Randy, if not 10
18 years as well for Kit.

19 Q. Have they received training on voter
20 signature verification?

21 A. Yes, they have received Washington State
22 Patrol training.

23 Q. Okay. I'm going to go back to Exhibit 3
24 here, the policies.

25 Do you train your staff on the policies that

1 Q. Okay. And I believe you told me before that
2 there's multiple signatures on file. You and your staff
3 would consider all the signatures that are found within
4 VoteWA; correct?

5 A. That is correct.

6 Q. Is there anything in VoteWA that indicates
7 the date of the signatures, if there's multiple
8 signatures?

9 A. Yes.

10 Q. Would you give extra weight to more recent
11 signatures rather than a much more older signature?

12 A. No. We view all of the signatures within
13 VoteWA.

14 Q. And you give equal weight to all of the
15 signatures found within VoteWA?

16 A. Yes.

17 Q. Do you look at the signatures by any means
18 other than on the computer in VoteWA?

19 A. What -- what do you mean?

20 Q. Do you look at them on a projector so you
21 can make them larger?

22 A. No.

23 Q. Do you use any other technology to make the
24 signatures larger or manipulate them in any way?

25 A. No.

1 Could you clarify your question?

2 Q. Yeah.

3 Does the County ever do anything to delete
4 signatures from VoteWA?

5 A. Only if we find a signature that is attached
6 to an incorrect voter.

7 Q. Okay. So if Jane Smith's signature is
8 attached to John Doe's signature and it's a clear error,
9 you could delete it.

10 A. Yes, we can.

11 Q. Okay. What does the County do to notify
12 voters about the signature verification process?

13 MS. CASTILLO: Object to form.

14 A. We -- our bilingual program coordinator
15 writes articles for El Sol, which is our Spanish
16 language newspaper in the Valley. She does guest spots
17 and interviews with call-in shows on Spanish Radio KDNA.
18 She provides the bilingual E-News to our community
19 partners and other members of the community that have
20 indicated that they would like to receive that
21 information.

22 We attend naturalization ceremonies where we
23 inform new voters of the process. She has done
24 presentations at citizenship classes at La Casa Hogar.
25 We've given tours of the elections division to those

1 individuals attending those citizenship classes. We've
2 given tours to high school civics classes during the
3 election process and outside of the election process to
4 talk about those procedures.

5 Our insert in our ballot packet describes
6 the process.

7 Q. (By Mr. Troutman) And were you reading
8 those from notes that you took to prepare for today?

9 A. Yes, I am.

10 Q. Okay.

11 A. There's a lot that we do that I didn't want
12 to eliminate, mm-hmm.

13 Q. And that's fine. I just wanted to ask.

14 A. Mm-hmm.

15 Q. That's something you're allowed to do as
16 part of a 30(b)(6) deposition.

17 So -- and did Martha Jimenez provide you
18 with information to be able to respond to that question?

19 A. Yes, she did. We worked on this list
20 together.

21 Q. And is the signature verification process a
22 specific topic covered in those outreach events that you
23 described to me?

24 A. Yes, it is. Our outreach is tailored to
25 inform the voter as to how to make sure that their

1 ballot is accepted.

2 Q. Okay. I think you gave me some specific
3 examples of Latino voter outreach opportunities. You
4 also do English voter outreach setting forth the
5 signature verification process too; right?

6 A. Yes, we do.

7 Q. Okay. Do you do more voter outreach on a
8 signature verification process in English or Spanish?

9 A. Spanish.

10 Q. Why? Why Spanish?

11 A. I would be speaking on behalf of Martha in
12 answering that question, but if I had to answer that
13 question, the County feels that it's important to reach
14 a community that's perceived as being a little bit more
15 difficult to reach, in that government offices typically
16 are not trusted.

17 Q. When you say typically not trusted, do you
18 mean the Latino population in Yakima County?

19 A. Not specifically in Yakima County.

20 Q. Okay. It's your belief that the Latino
21 population is typically distrustful of government in
22 general.

23 MS. CASTILLO: Object to form.

24 A. Based on conversations that Martha and our
25 staff has had, yes.

MS. CASTILLO: Object to form.

A. I don't believe that to be the case, no.

Q. (By Mr. Troutman) Okay. Do you believe there are obstacles for the Yakima County Latino population to participate in the voting process?

A. No, I don't believe that.

Q. If a ballot is ultimately rejected based upon a signature mismatch, and the person doesn't choose to attempt to cure their ballot, does the County ever follow up with that individual about the process, for purposes of future elections?

A. Yes, we do.

Q. Even after the election is certified, you follow up with individuals who didn't attempt to cure?

A. Yes, we do.

Q. How do you go about following up with those people?

A. We send them a signature update form.

Q. When you say "send," send by mail?

A. Yes.

Q. Do you ever e-mail people signature update forms?

A. If they request one by e-mail.

Q. Is the signature update form in both English and Spanish?

1 A. Yes.

2 Q. Beyond sending the signature update form, do
3 you or your staff personally make phone calls to voters
4 after the election that haven't attempted to cure their
5 ballot?

6 MS. CASTILLO: Object to form.

7 A. No.

8 Q. (By Mr. Troutman) Okay. I want to make
9 sure I get the time frame here because I am switching
10 gears.

11 So after Yakima County sends the cure letter
12 and it's determined signatures as a mismatch, does
13 Yakima County personally make phone calls to voters
14 after the signature mismatch has been determined?

15 MS. CASTILLO: Object to form.

16 A. Yes.

17 Q. (By Mr. Troutman) Was that a yes?

18 A. Yes. We do call voters.

19 Q. Is there any policy or procedure that
20 governs the timing of that call?

21 A. There's a WAC that tells us when we have to
22 make a call, but we also have a County process for
23 making those calls sooner and more frequently than the
24 WAC requires.

25 Q. Do you know the reason why the County has a

1 policy that you may call sooner and more frequently than
2 what the WAC requires?

3 MS. CASTILLO: Object to form.

4 A. As an attempt to ensure that voters are
5 aware that their ballot has been flagged as a mismatch
6 as quickly as we can.

7 Q. (By Mr. Troutman) And when did the County
8 enact the policy to make calls sooner and more
9 frequently than the WAC requires?

10 A. Within the last three years, I would say.

11 Q. How many times does the County attempt to
12 call someone if they don't reach them the first time
13 after the County sends out a cure letter?

14 MS. CASTILLO: Object to form.

15 A. Could you repeat your question, Mark?

16 Q. (By Mr. Troutman) Sure.

17 If the County doesn't reach a person who has
18 received a cure letter the first time that it attempts
19 to call, how many times does the County attempt to call
20 back?

21 A. At a minimum, one other time.

22 Q. Are you aware of times where the County
23 attempts to call more than one time if they don't reach
24 someone the first time?

25 A. Yes.

1 Q. In what instance would the County attempt to
2 call more than one time if they don't reach the person
3 the first time?

4 A. It's dependent on when the voter returns
5 their ballot.

6 Q. Why is it dependent upon when the voter
7 returns their ballot?

8 A. If they wait until Election Day to return
9 their ballot and the elections office doesn't receive it
10 until the day after, or even two days after the
11 election, it decreases the amount of time that the voter
12 has to cure that potential mismatch of signature or an
13 unsigned ballot declaration.

14 Q. Do only multilingual people make the calls
15 to voters after they get a cure form?

16 A. Yes.

17 Q. Put it another way, so you don't make calls
18 to voters after they receive a cure form because you
19 already told me you only speak English; correct?

20 A. That is correct.

21 Q. Okay. Are cure forms ever returned as
22 undeliverable?

23 A. I don't recall seeing an undeliverable cure
24 form, no.

25 Q. You told me about a lot of the County

1 Q. -- if you saw me look away.

2 A. That would be a question for Martha.

3 Q. Okay. Do you know under, where it says
4 "Where We've Been," if that is an all-inclusive list of
5 the voter outreach efforts, or just a representative
6 sample?

7 A. A representative sample.

8 Q. Okay. You can put that document down.
9 Does Yakima County provide signature
10 reviewers with training on signature verification?

11 MS. CASTILLO: Object to form.

12 A. Yakima County provides signature
13 verification training through the Washington State
14 Patrol on signature verification.

15 Q. (By Mr. Troutman) Okay. So the Washington
16 State Patrol does the training; Yakima County pays for
17 the training to be done.

18 A. There is no fee.

19 Q. Okay. Is training with the State Highway
20 Patrol required for anyone involved in signature
21 verification?

22 A. In Yakima County, yes.

23 Q. And how long has that been the case?

24 A. Prior to me being elections manager.

25 Q. Okay. So prior to 2007?

1 Q. Do they have you do the exercises during the
2 training, or is that, you know, homework that you do
3 after the training?

4 A. It's during the training.

5 Q. Is the training interactive with the
6 attendees?

7 A. Yes.

8 Q. So you get called on during training? It's
9 like Wall Street?

10 A. The interaction is voluntary.

11 Q. Okay.

12 A. But there is interaction.

13 Q. Gotcha.

14 Do they show you materials at the training
15 besides the four pages that you just testified about and
16 the two pages of exercises?

17 A. Yes. They have a PowerPoint presentation,
18 an interactive PowerPoint presentation.

19 Q. Have you ever received your own copy of that
20 PowerPoint presentation?

21 A. No, I have not.

22 Q. Okay. Do they give you certificates after
23 you complete the training?

24 A. No, they do not.

25 Q. If you could go to Yakima_006237, and it

1 look at Yolanda.

2 A. Mm-hmm.

3 Q. -- in 2005, 2006 -- I assume that means she
4 wasn't employed by Yakima County until sometime after
5 January 2006; correct?

6 A. That is correct.

7 Q. Okay. How soon after someone is hired do
8 they need to attend the training on signature
9 verification?

10 A. As soon as it's next offered by the
11 Secretary of State's office so they're able to
12 participate in signature verification for the next
13 upcoming election.

14 Q. If someone is hired and does not have time
15 to attend the Washington State Patrol Signature
16 Verification training before an election, are they
17 permitted to do signature verification for the election?

18 A. No.

19 Q. Has anyone, at any time during your tenure
20 with Yakima County, been permitted to do signature
21 verification for an election without attending the
22 Washington State Patrol Signature Verification training?

23 A. For election staff, no.

24 Q. When you said "for election staff," why --
25 who would be permitted to participate in signature

1 Q. (By Mr. Troutman) When does a vote -- I'll
2 start over.

3 Does a vote get counted after someone
4 submits the required cure form, or after the CRB reviews
5 the cure form and deems the signature mismatch cured?

6 MS. CASTILLO: Object to form.

7 A. Could you repeat the question again, Mark?

8 Q. (By Mr. Troutman) Sure.

9 Is a vote counted after someone submits the
10 required cure form, or after the CRB reviews the cure
11 form and deems the signature mismatch cured?

12 MS. CASTILLO: Object to form.

13 A. If a voter submits a cure form with a
14 signature that compares to the ballot envelope, the
15 ballot is immediately counted.

16 Q. (By Mr. Troutman) So is it true that the
17 canvassing review board only examines cure forms where
18 you or your staff believes that the signature on the
19 cure form does not compare with the ballot envelope?

20 MS. CASTILLO: Object to form.

21 A. That is correct.

22 Q. (By Mr. Troutman) Have you ever had law
23 enforcement attend canvassing review board meetings for
24 security purposes?

25 A. Yes, we have.

1 department from voters?

2 A. About specific topics?

3 Q. About being able to vote, access to voting.

4 MS. CASTILLO: Object to form.

5 A. Sure. We're not unlike any other office
6 that would receive complaints.

7 Q. (By Mr. Troutman) Do people complain when
8 they get a signature cure form to your office ever?

9 A. Complaints about a cure form are very few
10 and far between.

11 Q. When you say "few and far between," do you
12 mean five or less for a particular election cycle, or
13 more than that?

14 A. More often than not, it's zero during an
15 election cycle.

16 Q. Have you ever received a complaint about a
17 signature verification issue via e-mail?

18 A. 2017 comes to mind, yes.

19 Q. And what do you recall about a complaint
20 that you received about signature verification by e-mail
21 in 2017?

22 A. Well, as indicated in my binder, a concern
23 from Molly Matters [sic].

24 Q. Any others come to mind?

25 A. Specifically about signature verification

1 and cure forms, no.

2 Q. Okay. Have you ever seen any complaints
3 about signature verification or cure forms -- I'll start
4 over.

5 Have you ever seen any complaints regarding
6 Yakima County's signature verification or cure forms
7 either on posting online or social media?

8 A. The County doesn't have social media
9 accounts.

10 Q. Okay.

11 A. No.

12 Q. Have you ever received a telephone call, or
13 know whether your department received a telephone call
14 from someone, complaining about signature verification
15 or a cure form?

16 A. Again, 2017.

17 Q. Okay. And, again, that was in reference to
18 Molly Matter?

19 A. Yes.

20 Q. Okay. Have you ever received complaints in
21 person with visits to the office?

22 And, you know, just so you don't think I'm
23 trying to trick you, would you consider Rolando Perez a
24 complaint? Or Lopez; excuse me.

25 A. I wouldn't consider Rolando a complaint. I

1 would consider him a concern.

2 Q. Okay. So we take him out of the picture in
3 terms of complaints.

4 Have you ever received any other in-person
5 complaints from Yakima County voters regarding signature
6 verification or cure forms?

7 A. Yes. Again, during the 2017 general
8 election.

9 Q. Okay. Anyone other than Molly Matter come
10 to mind?

11 A. Other than the individuals that she has
12 mentioned in her correspondence with us. I believe she
13 mentions Joel Torres. Again, on the other individuals
14 who submitted declarations: Dora Alvarez-Roa, Pablo
15 Alpentar (phonetic), and Avila Lopez.

16 Q. Would the election department deal with its
17 own complaints, or does some other branch of the County
18 assist with complaints?

19 A. It would be the elections division.

20 Q. Do any -- is any member of the elections
21 department available to help field and assist with
22 complaints?

23 MS. CASTILLO: Object to form.

24 Q. (By Mr. Troutman) Put another way, do
25 complaints come to only you and get resolved by you? Or

1 A. I'm sorry. Am I answering the question now?

2 Q. (By Mr. Troutman) Yeah. Yeah. She
3 objected to form.

4 A. Okay.

5 We have had representatives from the
6 Secretary of State's office here to attend the recanvass
7 in 2017.

8 Q. Is that the only time a member of the
9 Secretary of State's office attended at one of the
10 canvass review board meetings in Yakima County?

11 A. Yes.

12 Q. And you said that happened in 2017; right?

13 A. Yes.

14 Q. Do you know why someone from the Secretary
15 of State's office attended the canvassing review board
16 meeting in 2017?

17 A. Because it was an extremely contentious
18 election, like I mentioned earlier.

19 Q. Mm-hmm.

20 Why was that election so contentious? Was
21 it something nationally or local, if you know?

22 A. Local.

23 Q. And what was going on locally that made it
24 so contentious?

25 A. There was a candidate for mayor in one of

1 our cities that we received many complaints about; that
2 voters were feeling intimidated by this candidate; that
3 he was using very forceful tactics in his campaign; the
4 individuals from his campaign were providing
5 misinformation to the community.

6 Q. What's the name of the mayor candidate that
7 was accused of doing those things?

8 A. Juan Orozco.

9 Q. Did Juan Orozco win the election to become
10 mayor?

11 A. Yes, he did.

12 Q. Is he still mayor?

13 A. No.

14 Q. Okay. What city?

15 A. Wapato.

16 Q. As far as you're aware, did the Secretary of
17 State attend the canvassing review board meeting for any
18 reason other than the contentiousness of that election?

19 A. Just to provide support.

20 Q. Do you agree that Spanish-speaking voters'
21 ballots are rejected for signature mismatch at a rate
22 greater than that of white -- of voters who have white
23 names?

24 MS. CASTILLO: Object to form. And
25 outside the scope of the topics raised in the 30(b)(6)

1 I have a clarifying question.

2 Q. (By Mr. Troutman) Okay.

3 A. Are you asking about the meeting process?

4 Q. You mean the canvassing board -- review
5 board meeting?

6 A. Yes, and what -- how they review signatures.

7 Q. I'll just ask the question.

8 Has the canvassing review board meeting
9 process changed from the July 2018 version I'm showing
10 you to the version you're looking at?

11 A. Yes, it has.

12 Q. What has changed from the July 2018 version,
13 marked as Exhibit 14, to the version that you're looking
14 at?

15 A. The canvassing board no longer reviews
16 individual signatures as they used to. They now review
17 them in list form.

18 Q. What do you mean by they review them in list
19 form?

20 A. Allowed by 29A.60.050, ballots being
21 referred to them can appear in a report or a batch. So
22 they're being referred to them by the signature
23 verification supervisor team with a recommendation to
24 reject in list form.

25 Q. Okay. So when was that change to the

1 And this might be one of the drawbacks to
2 doing virtual depositions in that mine won't open. So
3 I'm wondering if yours will open.

4 A. Yes, I see that.

5 Q. Okay. Can you see the text on it?

6 A. Yes.

7 Q. Okay. Are you familiar with this standard?

8 A. No.

9 Q. Have you ever seen it before?

10 MR. TROUTMAN: Kristine, while she's
11 reviewing that, if I could mark this as -- I think we're
12 on Exhibit 17?

13 THE COURT REPORTER: That's correct.

14 MR. TROUTMAN: Okay. Thank you.

15 (Exhibit No. 17 marked for
16 identification.)

17 A. It is not familiar to me.

18 Q. (By Mr. Troutman) Okay. And -- okay. I'm
19 good there.

20 So we've already discussed a ton about
21 training. One area that I didn't cover was the
22 canvassing review board alternative reviewers.

23 Are CRB alternative reviewers required to go
24 through the Washington State Patrol Signature
25 Verification training?

1 MS. CASTILLO: Object to form.

2 A. If they're going to preside over a meeting
3 in which signatures are a part of that meeting.

4 Q. (By Mr. Troutman) So an alternative
5 reviewer is required to go through the same training as
6 the CRB board members then; is that correct?

7 A. That is correct.

8 Q. Are alternative reviewers required to obtain
9 the training before they sit in place of the standing
10 CRB member?

11 MS. CASTILLO: Object to form.

12 A. If the training is available before they
13 need to preside at the meeting, yes.

14 Q. (By Mr. Troutman) Do you recall any
15 instances where there were CRB alternative reviewers
16 that served on the CRB -- or served at -- I'll start
17 over. Jeez.

18 Do you recall any circumstances where a CRB
19 alternative reviewer served on the board without having
20 received training?

21 A. I would have to look back at the training
22 record and which alternate member attended a meeting.

23 Q. But as you sit here today, you can't recall
24 any circumstances one way or the other in response to my
25 previous question then; is that right?

MS. CASTILLO: Object to form.

A. Off the top of my head, no, I can't recall.

Q. (By Mr. Troutman) Okay. If an alternative CRB member did sit on the CRB board prior to any training, would you assume they would be deferential to any other trained CRB members?

MS. CASTILLO: Object to form.

A. Could you rephrase the question, please?

Q. (By Mr. Troutman) Yeah.

If a CRB alternative reviewer sits on the CRB Review Board prior to receiving training, would they defer to the other members that have been trained?

MS. CASTILLO: Object to form.

A. I believe they would, yes.

Q. (By Mr. Troutman) Have you ever discussed that with anybody at Yakima County?

A. I have not, no.

Q. Okay. If somebody that sits on the CRB board needs an alternative reviewer, does that have to be done by resolution of the board?

A. No.

Q. How is it done?

A. The canvassing board member who needs to have an alternate in their place appoints their alternate by means of an appointment form.

1 Q. Okay. But there was no training conducted
2 by the Washington State Highway Patrol about how to
3 evaluate an electronic touch pad signature versus a
4 paper signature, was there?

5 A. No. Just that there obviously is a
6 difference.

7 Q. Okay. Did they cover any characteristics to
8 look for when trying to compare them?

9 A. No.

10 MR. TROUTMAN: Okay. That does it for
11 me.

12 Callie, I don't know if you have any
13 questions, or --

14 MS. CASTILLO: I do. I just have a
15 couple follow-up questions.

16 MR. TROUTMAN: Okay.

17 EXAMINATION

18 BY MS. CASTILLO:

19 Q. Kathy, do you recall Mark asking you about
20 the differences between the processes that occurred
21 before the 2020 presidential primary and afterwards?

22 A. At the canvassing board meetings?

23 Q. Yes.

24 A. Yes.

25 Q. Since 2020, is it Yakima County's policy

1 that in order for a signature to be referred to the
2 canvassing board for approval or rejection, that both
3 you and Martha Jimenez must agree?

4 A. Yes.

5 Q. And then you testified that since the
6 presidential primary in 2020, the canvassing board
7 reviews those signatures in batches or in list form; is
8 that correct?

9 A. Yes, that's correct.

10 Q. And then prior to the presidential primary
11 2020, if you and Ms. Jimenez, or you and Yolanda
12 disagreed, would you refer those signatures to the
13 canvassing board for further determination?

14 A. Yes. As it was noted in the canvassing
15 manual, that it was a split decision being referred to
16 them.

17 Q. And in that time, the canvassing board was
18 individually reviewing each and every signature; is that
19 correct?

20 A. That's correct. That is correct.

21 Q. And would they have to come to a consensus
22 as a canvassing board whether to accept or reject a
23 signature?

24 A. Yes, that's correct.

25 MS. CASTILLO: Thank you. I don't have

1 any further questions.

2 THE VIDEOGRAPHER: Before we go off
3 record --

4 MR. TROUTMAN: Oh. I might -- I want to
5 ask just one clarification.

6 THE VIDEOGRAPHER: Sure.

7 MR. TROUTMAN: I'm not going to prolong
8 anything. I just think I misheard her and got confused.

9 FURTHER EXAMINATION

10 BY MR. TROUTMAN:

11 Q. Kathy, Ms. Castillo just asked you about --
12 I believe I heard it right -- that the procedure for how
13 ballots are referred to the CRB after the 2020
14 presidential primary -- was that the time period she was
15 asking you about?

16 A. Yes.

17 Q. And did she say that it takes both you and
18 Martha Jimenez to agree to send the ballot to the CRB
19 for further review?

20 A. Yes.

21 Q. But the CRB just reviews and lists a
22 recommendation format after the 2020 presidential
23 primary; right?

24 A. Yes.

25 Q. And what do they do if you send one to the

1 CRB where you say that the ballots -- the ballot should
2 be approved, and Martha Jimenez says that it should not
3 be approved?

4 A. They don't receive those.

5 Q. Okay. So those go --

6 A. Right.

7 Q. Those get approved then.

8 A. Yes.

9 Q. Okay. So it would be fair to say that you
10 err on the side of approving in so long as you at least
11 have one of the two of you supporting approval?

12 A. Yes.

13 Q. Okay. So that split decision doesn't --
14 shouldn't show up on any lists or materials that go to
15 the CRB as of the time and after the 2020 presidential
16 primary; right?

17 A. That is correct.

18 MR. TROUTMAN: Okay. Sorry I belabored
19 that. I thought I misheard. So I appreciate you
20 letting me walk you through that.

21 I have no further questions.

22 MS. CASTILLO: No further questions.

23 THE VIDEOGRAPHER: Mr. Troutman, would
24 you like a copy of the video?

25 MR. TROUTMAN: Video, no.

C E R T I F I C A T E

STATE OF WASHINGTON)
) SS.
County OF KITSAP)

I, the undersigned Washington Certified Court Reporter, pursuant to RCW 5.28.010 authorized to administer oaths and affirmations in and for the State of Washington, do hereby certify:

That the annexed and foregoing deposition consisting of pages 1 through 239 of the testimony of each witness named herein was taken stenographically before me and reduced to typed format under my direction;

I further certify that according to CR 30(e) the witness was given the opportunity to examine, read and sign the deposition after the same was transcribed, unless indicated in the record that the review was waived;

I further certify that all objections made at the time of said examination to my qualifications or the manner of taking the deposition or to the conduct of any part have been noted by me upon each said deposition;

I further certify that I am not a relative or employee of any such attorney or counsel, and that I am not financially interested in the said action or the outcome thereof;

I further certify that each witness before examination was by me duly sworn to testify the truth, the whole truth and nothing but the truth.

I further certify that the deposition, as transcribed, is a full, true and correct transcript of the testimony, including questions and answers, and all objections, motions, and exceptions of counsel made and taken at the time of the foregoing examination and was prepared pursuant to Washington Administrative Code 308-14-135, the transcript preparation format guidelines;

I further certify that I am sealing the deposition in an envelope with the title of the above cause and name of the witness visible, and I am

1 delivering the same to the appropriate authority;

2 I further advise you that as a matter of firm
3 policy, the Stenographic notes of this transcript will
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5 IN WITNESS WHEREOF, I have hereunto set my hand
6 and affixed my official seal this 16th day of May, 2023.

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